

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 24, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL AVILEZ ESPINOZA,
a/k/a Sebastin Godina,

Defendant.

NO: 2:23-CR-30-RMP-1

ORDER GRANTING STIPULATED
MOTION FOR PROTECTIVE
ORDER RE IDENTIFICATION OF
MINOR VICTIMS

BEFORE THE COURT is Defendant's and the United States' (the "Government's") Stipulated Motion for Protective Order re Identification of Minor Victims Pursuant to 18 U.S.C. § 3509, ECF No. 20. The Court has reviewed the parties' Motion in the above-captioned matter and is fully advised.

GOOD CAUSE HAVING BEEN SHOWN, the Court hereby **GRANTS** the parties' Motion, **ECF No. 20**. Accordingly, **IT IS HEREBY ORDERED:**

1. IT IS FURTHER ORDERED that the privacy protection measures mandated by 18 U.S.C. § 3509(d), which apply when a case involves a person under

ORDER GRANTING STIPULATED MOTION FOR PROTECTIVE ORDER RE
IDENTIFICATION OF MINOR VICTIMS ~ 1

1 the age of eighteen years who is alleged to be a victim of a crime of sexual
2 exploitation, or a witness to a crime committed against another person, apply to this
3 case.

4 2. IT IS FURTHER ORDERED that all persons acting in this case in a
5 capacity described in 18 U.S.C. § 3509(d)(1)(B), shall:

- 6 a. Keep all documents that disclose the names, identities, or any
7 other information concerning minors in a secure place to which
8 no person who does not have reason to know their contents has
9 access;
- 10 b. Disclose such documents or the information in them that
11 concerns minors only to persons who, by reason of their
12 participation in the proceeding, have reason to know such
13 information;
- 14 c. Not permit Defendant himself to review discovery outside the
15 presence of defense counsel or a defense investigator;
- 16 d. Not permit Defendant to keep discovery in his own possession
17 outside the presence of defense counsel or a defense investigator;
18 and
- 19 e. Not permit Defendant to keep, copy, or record the identities of
20 any minor or victim identified in discovery in this case.

21 3. IT IS FURTHER ORDERED that all papers to be filed in Court that

1 disclose the names or any other information identifying or concerning minors shall
2 be filed under seal without necessity of obtaining a Court order, and that the person
3 who makes the filing shall submit to the Clerk of the Court:

4 a. The complete paper to be kept under seal; and

5 b. The paper with the portions of it that disclose the names or other
6 information identifying or concerning children redacted, to be
7 placed in the public record.

8 4. IT IS FURTHER ORDERED that the parties and the witnesses shall not
9 disclose minors' identities during any proceedings connected with this case. The
10 parties and witnesses will refer to alleged minor victims only by using agreed-upon
11 initials or pseudonyms (e.g., "Minor Victim 1"), rather than their bona fide names, in
12 motions practice, opening statements, during the presentation of evidence, in closing
13 arguments, and during sentencing.

14 5. IT IS FURTHER ORDERED that the Government may produce
15 discovery to the defense that discloses the identity and images of alleged minor
16 victims in this case, to comply with the Government's discovery obligations.

17 Defendant, the defense team, Defendant's attorneys and investigators, and all their
18 externs, employees, and/or staff members, shall keep this information confidential as
19 set forth above.

20 6. IT IS FURTHER ORDERED that this ORDER shall apply to any
21 attorneys who subsequently become counsel of record, without the need to renew or

1 alter the ORDER.

2 7. IT IS FURTHER ORDERED that this ORDER shall apply to the
3 personal identifying information and images of any minors who are identified over
4 the course of the case, whether such minors are known to the Government and/or
5 Defendant at the time that this Order is entered.

6 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
7 Order and provide copies to counsel.

8 **DATED** April 24, 2023.

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10 *s/ Rosanna Malouf Peterson*
11 ROSANNA MALOUF PETERSON
12 Senior United States District Judge
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